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March 24, 2004

Time: 5:10 p.m.  
(Minneapolis, Minn.)

TO: Commissioner for Patents

Attn: David Guzo

Patent Examining Corps

Facsimile Center

P.O. Box 1450

Alexandria, VA 22313-1450

FROM: Janet E. Embretson

OUR REF: 875.007US2

TELEPHONE: 612-373-6959

FAX NUMBER 703-872-9306

\* Please deliver to Examiner David Guzo in Art Unit 1636. \*

FORMAL RESPONSE - PLEASE ENTER

Documents Transmitted: Communication Regarding Restriction Requirement (1 pg.), Copy of Preliminary Amendment filed June 25, 2002 (12 pages), Copy of return postcard (1 pg.).

Total pages of this transmission, including cover letter: 15 pgs.

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900 or fax us at 612-339-3061.

In re. Patent Application of: John F. Engelhardt et al.

Examiner: David Guzo

Serial No.: 10/054665

Group Art Unit: 1636

Filed: January 22, 2002

Docket No.: 875.007US2

Title: ADENO-ASSOCIATED VIRUS VECTORS

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By: [Signature]  
Name: Janet E. Embretson  
Reg. No.: Reg. No. 39,665

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

[Signature]  
Candis Buending

March 24, 2004  
Date of Transmission

S/N 10/054665PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John F. Engelhardt et al.

Examiner: David Guzo

Serial No.: 10/054665

Group Art Unit: 1636

Filed: January 22, 2002

Docket: 875.007US2

Title: ADENO-ASSOCIATED VIRUS VECTORS

COMMUNICATION REGARDING RESTRICTION REQUIREMENT

## MS NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The Restriction Requirement mailed February 24, 2004 has been reviewed.

The Restriction Requirement identifies the pending claims as 1-39. However, on June 25, 2002, Applicants filed a Preliminary Amendment canceling claims 1-39 and adding new claims 40-60. A copy of this Preliminary Amendment is attached, along with a copy of the return postcard.

It is respectfully requested that the Examiner withdraw the present Restriction Requirement and issue a new action with respect to pending claims 40-60.

Respectfully submitted,

JOHN F. ENGELHARDT ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER &amp; KLUTH, P.A.

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Date March 24, 2004By 

Janet E Embretson

Reg. No. 39,665

The undersigned hereby certifies that this correspondence is being transmitted by fax (FAX NO. 703-872-9306) to: MS NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24th day of March, 2004.

Candis B. Buending

Name

  
Signature

In re Patent Application of: John F. Engelhardt et al.  
Title: ADENO-ASSOCIATED VIRUS VECTORS  
Serial No.: 10/054,665

Filing Date: January 22, 2002

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

**CONTENTS:** Preliminary Amendment, including Clean Version of Amended Specification Paragraphs (11 Pages); a Return Postcard and TRANSMITTAL SHEET.

Mailed: June 28, 2002  
JEE/cbb



Docket No.: 875.007US2  
Due Date: N/A